

It is hard to pick which one of these I find the most troubling, but I want to focus on the IRS scandal because targeting political groups, singling them out for additional scrutiny simply because you disagree with their ideological views is wrong on every level.

Dismissing this massive overreach as if it is just the acts of a few rogue agents in Cincinnati, as some have tried to do since the onset, is not taking leadership nor is it seeking to hold the agency accountable.

We now know the Acting IRS Commissioner knew of these abuses for at least a year, and officials at Treasury and as high up as the Chief of Staff at the White House were briefed before the leak despite the repeated claims that the administration learned about it through news reports.

We know it was not just Cincinnati. IRS officials at the agency's Washington headquarters also sent queries to conservative groups asking about their donors, and progressive groups, who operated the same way, were not subjected to this type of harassment.

On top of all this there is real concern that IRS officials may have lied to Congress in an effort to cover up the agency's misdeeds. Yesterday before the Finance Committee the former head of the agency who was in charge at the time of these abuses claimed this was not "politically motivated," while at the same time he said he did not know how the targeting happened.

Along with this impressive double-talk, he refused to apologize for the abuses that went on under his watch.

Somebody has to be accountable. This is not a time for excuses; it is a time for leadership. The President needs to fully cooperate with the congressional investigations into the IRS scandal.

Last week, our entire caucus sent a letter to the White House that demands at least this much from the administration. Washington's credibility—what is left of it—is on the line. The American people deserve to know what actions will be taken to ensure those who made these decisions at the IRS will be held accountable.

The good news is people on both sides of the aisle—Republicans and Democrats—are rightfully outraged. We are going to get to the bottom of this. People will be held accountable. At the very least those engaging in these unethical actions need to be fired. If they broke the law, they need to be prosecuted.

This scandal gives the already maligned IRS a black eye. It reinforces people's worst fears about Washington—that those in power will use any means necessary to maintain that power.

Keep in mind this agency will be responsible for implementing and enforcing key provisions of the President's health care law, a law that a majority of Arkansans do not support. If these types of abuses are allowed to go unchecked, what kind of bullying will go

on when that implementation begins, especially in light of the fact that the official who was in charge of the unit that targeted conservative groups now runs the IRS office responsible for the health care law?

Everyone needs to be treated fairly under the law. Clearly, there are employees at the IRS who do not subscribe to this principle. There must be zero tolerance for the actions of those individuals.

Until we change the culture in Washington, we will not gain the confidence of the American people. The onus is on us. Washington as a whole—the White House, Congress, and every civil servant—has to remember whom we work for and to whom we are accountable. The actions of the IRS, along with the other scandals plaguing DC, only move us further from the goalpost, not closer.

I yield back.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Nebraska.

#### ONGOING CONTROVERSIES

Mrs. FISCHER. Madam President, I rise today to discuss a number of ongoing controversies of national importance, including the IRS's unfair treatment of conservative groups applying for tax-exempt status, the secret gathering of journalists' phone records by the Department of Justice, and the administration's response to the attack on the U.S. consulate in Benghazi.

Both the House and the Senate have held hearings with the former and acting IRS Commissioners, as well as the Treasury Department's Inspector General for Tax Administration, who conducted an internal audit and authored the report revealing the pattern of government abuse within the IRS tax exempt division.

While I am pleased that Congress is judiciously exercising its oversight powers, very few questions have been answered. The pattern of inconsistent explanations continues. We still do not know who exactly initiated the practice of wrongfully targeting conservative groups.

Ironically, the Acting IRS Commissioner, Steven Miller, testified under oath that there was absolutely no political motivation behind the practice; however, Mr. Miller could not identify the names of the individuals whose motives he was supposedly vouching for. How is that even possible? Nebraskans know better than to buy that bill of goods.

We still do not know why this abusive policy was implemented in the first place. IRS officials have maintained that the extra scrutiny given to conservative groups was an attempt to deal with an influx of applications. As a number of fact checkers and media outlets have noted, that surge in applications did not happen until well after the targeting began. The reasoning for the practice put forth by the IRS simply does not align with the facts.

We still do not know why the IRS believed it had the right to release confidential data which it had wrongly requested in the first place. They released that to third parties with adversarial interests to those conservative groups in question. The progressive publication ProPublica admitted it obtained from the Internal Revenue Service illegally leaked confidential tax forms from nine organizations.

All of the groups whose records were improperly released were conservative. Why did the IRS leak these records? What was their goal? Why did only conservative organizations have their confidential information leaked? Why did the White House senior staff, including the White House Counsel and the White House Chief of Staff, fail to inform the President of this egregious government overreach by the IRS?

Former Special Counsel to President Clinton, Lanny Davis, recently wrote an opinion piece in the Hill:

With all due respect to someone who has impeccable legal credentials, if she did have such foreknowledge and didn't inform the President immediately, I respectfully suggest Ms. Ruemmler is in the wrong job and that she should resign.

Politico recently reported—the story keeps changing:

The White House explanation of what it knew about the IRS story ahead of the first press reports on the controversy shifted once again Thursday.

Let me repeat that, "shifted once again."

It seems that some folks from the White House cannot get their facts straight. Why? The White House Press Secretary admitted yesterday that officials in the White House discussed how and when the IRS would tell the public the agency had been targeting conservative groups. The eventual public disclosure was made by IRS Tax Exempt and Government Entities Division Director Lois Lerner, who revealed the pattern of government abuse with an intentionally planted question at an otherwise little-noticed Washington, DC, lawyers conference.

It is outrageous that despite numerous congressional inquiries asking the IRS for answers in both public hearings and formal letters, the IRS would first reveal the truth through a charade of a "planted" question. Then Lerner went on to earn herself a "bushel of Pinocchios" from the Washington Post fact checker for her series of misstatements and "weasley wording."

Whatever happened to the President's worthy goals of promoting the most accountable, the most transparent, the most open administration in history? I do not appreciate being misled, and Nebraskans do not either.

Regarding the secret collection of the Department of Justice of over 100 Associated Press journalist phone records, two key questions remain. Why didn't the Department of Justice ask the Associated Press to voluntarily cooperate before issuing those subpoenas as the law requires? And why did the Department of Justice fail to abide by the law

and inform the Associated Press that the records were subpoenaed, denying them the opportunity to appeal that heavy-handed play?

Washington Post columnist Eugene Robinson put it well:

The Obama administration has no business rummaging through journalists' phone records, perusing their e-mails and tracking their movements in an attempt to keep them from gathering news. This heavy-handed business isn't chilling, it's just plain cold.

But, once again, the overreach does not stop there. Recent news has surfaced that a Fox News journalist was criminally investigated for doing his job, lawfully soliciting information from a government source. The Post describes the investigation in vivid detail. They used security badge access records to track the reporter's comings and goings from the State Department, according to a newly obtained court affidavit. They traced the timing of his calls with a State Department security adviser suspected of sharing the classified report. They obtained a search warrant for the reporter's personal e-mails.

This assault on the First Amendment is unacceptable and the intimidation of reporters through unnecessary criminal investigations and excessive surveillance raises serious questions about the freedom of the press. The President and the Department of Justice have yet to come forward with credible answers. The American people are still waiting.

Finally, I would like to briefly touch on the tragic attack on our consulate in Benghazi. Much attention has been paid to the internal White House e-mails and changes to U.N. Ambassador Susan Rice's talking points explaining the source of the attacks.

I believe a key question still remains to be answered: Why for 2 weeks did the administration propagate the tale that it was a YouTube video-inspired attack when officials knew almost immediately it was carried out by affiliates of al-Qaida? That is a pretty simple question.

Why were the American people told an anti-Islam YouTube video prompted the attacks when it was known it was not? No one has answered this very basic question.

Instead of providing answers to these questions, a top White House adviser has impugned the integrity of those seeking the truth by decrying persistent questioning as a "witch hunt." It is time for the President to put politics aside, demand accountability from his staff, and step up and do his job.

Congress is doing its part by conducting serious oversight hearings on both the IRS overreach and the Benghazi attack. Yet critical government witnesses—such as the IRS Tax Exempt and Government Entities Division Director Lois Lerner—refuse to cooperate, insisting on pleading the Fifth Amendment during hearings to set the record straight.

It is up to the President. It is up to the President to transform this culture

of arrogance and change the above-the-law attitude that seems to have a grip over his departments and agencies. Ignorance, willful or otherwise, is not going to cut it anymore. We simply cannot afford to have a President on the sidelines. This unraveling saga of government gone wild demonstrates exactly one of two things: either the height of government incompetence or gross abuse of power. Rather than sending surrogates out on the Sunday talk shows to claim "the law is irrelevant" with regard to that IRS overreach, I call on the President to work with Congress to build back the people's trust.

This includes taking responsibility for the actions of those working within the executive branch, enforcing the laws, and removing all those responsible for this disturbing pattern of government overreach.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

#### WHITE HOUSE SCANDALS

Mr. CORNYN. Madam President, this last weekend White House adviser Dan Pfeiffer visited all five Sunday morning talk shows. What he tried to do there was to defend the Obama administration's handling of the various scandals we are all too familiar with. Unfortunately for the President, I think he only made things worse.

For example, he said President Obama's whereabouts on the night of the Benghazi terrorist attack were irrelevant. That is a strange use of the word. Where the President is when a terrorist attack kills four American citizens in Libya, to call that irrelevant strikes me as an odd choice of words.

He was also asked whether it is illegal for the IRS to target individuals and organizations for political reasons. Again, he said, "It is irrelevant." Strange choice of words. In other words, if the American people were hoping that this White House would finally provide straight answers to basic questions, they were once again disappointed.

Let's review the facts starting with Benghazi, as the Senator from Nebraska was just talking about.

Eight months, of course, have passed since four brave Americans were killed by terrorists linked to al-Qaida. Eight months have passed since the Obama administration blamed the attack on a spontaneous demonstration incited by some amateur YouTube video.

Is it irrelevant that we don't know where the President of the United States was on the night of the attack or what he did or did not do to come to the aid of these four brave Americans who were at risk of losing their lives and did, in fact, lose their lives? Is it irrelevant that members of the Obama administration deliberately misled, time and time again, the American people about this act of terrorism? Is it irrelevant that Ambassador Susan Rice

was blaming the massacre on a YouTube video the very same day Libya's President was calling it a preplanned terrorist attack? Is it irrelevant that the former deputy to the late Ambassador Chris Stevens has said that everybody at the U.S. Embassy believed from the start that it was a terrorist attack? Finally, is it irrelevant that this former deputy, Gregory Hicks, was punished by the State Department for cooperating with congressional investigators so the truth could get out?

That is a strange choice of words—"irrelevant." I don't think the American people believe that is irrelevant—any of these facts. In fact, I think what we can only conclude is that the culture the White House, unfortunately, has created is one where coverups, misdirection, prevarication and dissembling are OK, not being straight with the American people.

No wonder the American people doubt their leadership in Washington and particularly in the White House if the White House is going to create a culture in which these sorts of coverups are OK or, in the words of Dan Pfeiffer, simply irrelevant. When the American people can't trust the White House to be honest with them—and refuses to accept responsibility for their mistakes—it is not irrelevant.

As for the IRS scandal, some people have tried to dismiss the targeting of various conservative groups as a rogue operation managed by a few renegade staffers in the Cincinnati office. Yet the more we learn about this scandal, the bigger it seems.

Anybody who has been around a big bureaucracy—and certainly the IRS qualifies as a big bureaucracy—knows that when you ask the bureaucrats something, the easiest answer is no because they don't get in trouble for saying no. They may not be very helpful or responsive, but they don't get in trouble.

What strikes me as so bizarre about this idea that there are a number of free agents in Cincinnati who decided to cook this up on their own is it really goes against the grain of everything we know about bureaucracies. Why in the world would they take the initiative to target political speech unless they thought they either had the explicit or the implicit approval of their superiors? It just doesn't make any sense otherwise.

Last week one Cincinnati IRS employee told the Washington Post—and I think this has the ring of truth—that "everything comes from the top. We don't have any authority to make those decisions without someone signing off on them. There has to be a directive." Now, that sounds like the bureaucracy that I know and am familiar with.

So I would like to ask the White House if it is irrelevant that America's tax collection agency was turned into a political attack machine, deciding that they were the ones who could police political speech and activity protected by